

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION
CRIMINAL APPEAL NO.1139 OF 2004

The State of Maharashtra ..Appellant
V/s.

Anant Laxman More & Ors. ..Respondents

Mr.A.S.Shitole APP for Appellant/State.

Coram : R.S.Mohite, J

Date :10th January, 2006.

PC

1. This is an appeal filed by the State impugning a judgment & order passed by the Additional Sessions Judge, Khed, on 28.6.2004 acquitting the accused for the offences punishable under Sections 3(1) (x) of the SCST Act r/w 34 of IPC, 7(1) (d) of the Protection of Civil Rights Act r/w 34 of IPC and 306 r/w section 109 of IPC. On perusal of the impugned judgment and order, I find that the same is passed upon cogent and acceptable reasons. Accused no.3 is the Principal and professor of B.Ed college where the deceased was studying. The prosecution case was that the deceased committed suicide because of harassment by the accused. Respondent no.1 was a principal and was demanding higher fees of Rs.15,000/- from the deceased though the fees

payable was Rs.3000/-. The accused was not allowed to attend the class and was made to stand in the sun-light. The accused asked him as to whether persons belonging to his caste went to the temple and were insisting to pay fine of Rs.500/-. In this case, the evidence consisted of the deposition of the father of the deceased and the version given by him was held to be in the nature of hear-say evidence. The prosecution produced a diary said to have been written by the deceased but the Court has observed that the signature on the diary did not tally with the admitted signature of the deceased in the register. In my view, not a fit case to interfere. Hence, leave is refused and consequently appeal stands dismissed.

(R.S.Mohite, J)